623 the imposition of minimal social obligations (education and hospitality), the equal division of duties and work, and, finally, nomination of a man to represent the jma'th and to see that local law is enforced.

This jma'th and its representative were legitimate organs of the people, an authentic and faithful reflection of the feeling and convenience of its members, live and efficient organisms. Today a 623 197 182 rigid Arab framework and its imposed and despotic representatives has submerged the jma'th, without any alternative other than the hatred or scorn of its members, according to whether the chief is a tyrant, or a slave to his needs or whims.

436 681 For an analysis of the proportioning of the punishment, it is well to know the equivalents of the Rifian monetary system, as follows:[41]

Mithqal--2 Spanish pesetas

Bsita--0.60 Spanish pesetas

Rbi'a--0.50 Spanish pesetas

Uqiyya or Spanish onza, "ounce"--0.20 Spanish pesetas

Ujjhain (two muzunas)--0.10 Spanish pesetas

Muzuna or Spanish blanquillo, "little target"--0.05 Spanish pesetas.

681 693 With these data to hand, we may now establish the framework of fines which occur in the qanun commented upon, in the following order:

Theft by day, of cereals or fruits (figs, etc.)--100 pesetas

Theft by night, in the orchards or gardens--20 pesetas

Threats with firearms--20 pesetas

Thefts by day, in the orchards--10 pesetas

Threats with knives or daggers--5 pesetas

Damages to dams--5 pesetas

695 is to be found situated above the ditch of 'Umar bin Yusif al-Waryaghli.
312
[693] This is what the witnesses of the present (act) certify without there being (any) doubt existing in it. A complete attestation.

693 The undersigned notaries who have compiled (the testimonies which
695 these individuals afforded) from them testify that the latter are in a perfect state of legal capacity (i.e. of sound mind and memory) to testify, and they know them (i.e. personally).

[805] On the 21st day of the blessed Sha'ban of the year 1150 (December 13, 1737). Two illegible signatures follow.

19. PURCHASE AND SALE OF AN IRRIGATION TURN: TRANSLATION:

Praise be to the one God.

312 The Qa'id Sulaiman bin Muhammad al-Waryaghli al-Khattabi al-Ajdiri[176]
571
432 buys, with the power and force of God, from the one who sells it, Siddiq bin Muhammad bin Siddiq al-'Abdallawi[177], one-fourth (of a part) of the irrigation ditch of Bulma'iz, (in his turn) by day or by night, his turn reappearing about (once) every nine days; on some occasions
432 he gets it during the day, and on others at night. A valid, definitive
[435] and firm purchase, so much down, without conditions of resale or op-
[436] tions (to anything) other than that assigned here), for a price the sum of which is 100 duros, in Spanish money (i.e. 500 pesetas). This amount the abovementioned seller has taken from the abovementioned buyer, thus recognizing it in front of both witnesses instrumental to the present act, freeing the buyer from it, who took over his purchase with complete possession, occupying it in his place of ownership in conformity with the traditional law and the right of rehibitory action

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34--Spanish literature refers to any Rifian who, during the "Republik", had done remunerative work for the Spanish administration on Al-Husaima Island as a pensionado de la isla.

35--It appears that here Blanco implicitly recognizes the Rifians' desire to preserve their system of checks, balances and oscillations within the framework of their segmentary lineage system.

36--"Counter-espionage" might be nearer the mark here, for it is up to the members of the jma'th in question to watch over their own property!

37--Blanco refers here to the addenda in the qanun after the two illegible signatures.

[436] 38--The duro hasani, more than any other denomination of coinage, was the Rifian monetary unit during the "Republik".

[114] 39--It seems to us that Blanco tries to infer too much from the order of appearance of the councilmembers' names; and undue emphasis is placed on social protocol as well. These traits are, of course, very Spanish!

[114] 40--Also very Spanish is the labored and rather far-fetched comparison with the urban ayuntamiento.

41--A word or two of explanation (as of 1961) is necessary regarding the Rifian monetary system. First of all, none of these coins have been in use since protectorate times; all of them date back to the "Republik". It will also be made increasingly clear below, in the text, that bigger fines for graver offenses were always expressed in terms of hasani duros. Secondly, in the corresponding peseta equivalents, it must be remembered that the peseta values are those of 1939, when the Spanish peseta was worth a good deal more than it was in 1961. Thirdly, Blanco does not mention the fact that Rifians call a peseta by the name frank, pl. franik, a term borrowed, of course from French franc, but not to be confused with it. Five franik made a duro, the word riyal being foreign to Rifian usage. This has created considerable terminological confusion, particularly since the introduction of Moroccan francs in 1958 and later, in 1961, the new Moroccan dirhams, into the North Zone. As 10 Moroccan francs, more or less, equal 1 Spanish peseta, the Rifians, unwilling to give up their old monetary terminology, call a ten-franc piece frank, a twenty-franc piece dhnain franik (two franks), a fifty-franc piece khamsa franik (five franks), and a one-hundred franc piece or note 'ashra franik (ten franks). And as the new Moroccan dirham is equal to 100 old Moroccan francs, it is also called "ten franks" by the Rifians, although within the next few years it is probable that the term dirham, or ij udirham (one dirham) will become common usage.

[114] 42--It is perhaps neither warlike nor religious in Blanco's interpretation of this qanun; but it is always highly contradictory and indeed erroneous assertions of this kind which seriously weaken the fabric of Blanco's arguments.

43--Hospitality to guests is very important, in the Rifian scale of values, and nobody would deny this; but is it the most important institution of the jma'th???

[See p. 290--Analyst]